

As admitted in the Office Action, Yamazaki '138 is primarily concerned with liquid crystal displays, and does not provide a "...teaching of an example including a light-emitting element" in a display device (Office Action, paragraph 8). Rather, the Office Action alleges that it would have been obvious to modify Yamazaki '138 to include a light-emitting element, for the stated reason that "it was well-known in the art that an EL display unit includes a light-emitting element, as shown...by the admitted prior art" discussed at page 1, lines 15-25 of the present specification.

Even assuming (only for the sake of argument) the validity of the above-referenced portions of the present Office Action, Applicant respectfully submits that the referenced PET film 124 of Yamazaki '138 cannot be said to disclose or properly suggest the third substrate as recited in independent claim 1. For example, the purpose of formation of the PET film 124 of Yamazaki '138 is to allow the liquid crystal layer 125 of that reference to be interposed between the PET film 124 and a silicon dioxide film 103. Therefore, if, as alleged by the Office Action, if Yamazaki '138 were modified to include a light-emitting element in place of the liquid crystal layer 125, the stated reason of Yamazaki for including the PET film 124 would no longer exist.

In other words, the present rejection fails to consider all of the cited references, including those portions of the reference that teach away from the claimed invention. Therefore, for at least this reason, Applicant respectfully submits that the rejection of independent claim 1 under 35 U.S.C. 103 is invalid for at least this reason, and should be withdrawn.

Similar comments apply to independent claims 4, 26, and 36, so that these claims, as well as dependent claims 2, 3, 5, 6, 16-19, 21-24, 27-30, 32-34 and 37-42 are believed to be allowable for at least the same reasons. Accordingly, all pending claims are believed to be in condition for allowance, and such action is hereby requested in the Examiner's next official communication.

Applicant : Yamazaki, et al.  
Serial No. : 09/760,499  
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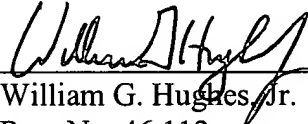
Attorney's Docket No.: 07977-263001 / US4563

Enclosed is a \$110.00 check for the One-Month Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

January 5, 2004

  
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